

Michele L. Braukmann
W. Anderson Forsythe
Afton Ball
MOULTON BELLINGHAM PC
Suite 1900, Crowne Plaza
P.O. Box 2559
Billings, Montana 59103-2559
Telephone: (406) 248-7731
Fax: (406) 248-7889
Michele.Braukmann@moultonbellingham.com
Andy.Forsythe@moultonbellingham.com
Afton.Ball@moultonbellingham.com

Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

HARDY CONSTRUCTION CO., a
Montana Corporation,

Plaintiff,

-VS-

BITUMINOUS CASUALTY
CORPORATION,

Defendant.

Case No. CV 14-142-BLG-SPW-CSO

**STIPULATION FOR
DISMISSAL WITHOUT
PREJUDICE
PURSUANT TO
FED.R.CIV.P. 41(A)(1)(A)(II)**

IT IS HEREBY STIPULATED AND AGREED by and through the
undersigned attorneys for Plaintiff Hardy Construction Co. and the

Defendant and Counterclaimant herein, Bituminous Casualty Corporation, and pursuant to F.R.C.P. 41(a)(1)(A)(ii) and 41(c), the above-captioned action shall be dismissed without prejudice as to Plaintiff's claims against Defendant and Defendant's claims against Plaintiff. The Parties agree that neither will attempt to offer into evidence during the course of any later proceedings and/or trial, the fact of this dismissal.

IT IS FURTHER STIPULATED that each party shall bear its own costs and fees.

Pursuant to L.R. 11.2(a), all signers below are registered ECF users and consent to the filing of this Stipulation.

DATED this 6th day of May, 2015.

MOULTON BELLINGHAM PC

By /s/ Afton E. Ball
W. ANDERSON FORSYTHE
MICHELE L. BRAUKMANN
AFTON E. BALL
Suite 1900, Crowne Plaza
P.O. Box 2559
Billings, MT 59103-2559
ATTORNEYS FOR PLAINTIFF

TOURTLLOTTE LAW FIRM, PLLC

By: /s/ Mathew I. Tourtlotte
Matthew I. Tourtlotte
P.O. Box 50939
Billings, MT 59105
(406) 252-3441
(406) 259-4159 (fax)
matt@tourtlottefirm.com
ATTORNEYS FOR DEFENDANT

BATESCAREY LLP

By: /s/ Bonny S. Garcha
Bonny S. Garcha
191 North Wacker, Ste 2400
Chicago, IL 60606
(312) 762-3264
(312) 762-3200 (fax)
bgarcha@BatesCarey.com
ATTORNEYS FOR DEFENDANT

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